

Printed name and title

AO 93 (Rev. 01/09) Search and Seizure Warrant (Page 2)

**RETURN**

Case No.:

Date and Time Warrant Executed:

Copy of warrant and inventory left with:

Inventory Made in the Presence of:

Inventory of the property taken and name of any person(s) seized:

**CERTIFICATION**

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

Date:

Executing officer's signature

Printed name and title

**ATTACHMENT A**

*Property to be searched*

2001 Ford Excursion with the license plate CPE5036 and VIN 1FMNU43SX1EB00895.

The vehicle is currently in the custody of the Navajo Nation Department of Criminal Investigations – Tuba City District.



**ATTACHMENT B**

*Items to be searched and seized*

1. Any evidence of assault, including but not limited to blood, dried blood, substances that appear to be blood, and other biological evidence which may be found on surfaces in the interior or exterior of the vehicle.

2. Any weapon or items that could be used as a weapon or pieces/parts of a weapon related to the murder investigation.

3. Electronic communication devices, including but not limited to cellular telephones, tablets, and associated removeable media, believed to have belonged to or to have been use by the vehicle's occupants.

4. Indicia of occupancy and/or ownership of the vehicle, including but not limited to mail showing a person's address, receipts, vehicle title, registration, and identification cards.

5. Photographs and/or video of the vehicle and the things seized.

6. Any object or containers including but not limited to water bottles, jugs, beer cans, cigarette butts, clothing, or any object or consumable item which may contain, DNA.

FAX or Internet

## UNITED STATES DISTRICT COURT

for the  
District of Arizona

In the Matter of the Search of:

A 2001 FORD EXCURSION WITH LICENSE PLATE  
CPE5036 AND VIN # 1FMNU43SX1EB00895,  
CURRENTLY IN THE CUSTODY OF NAVAJO  
NATION DEPARTMENT OF CRIMINAL  
INVESTIGATIONS IN TUBA CITY, ARIZONA

Case No. 22-4354 MB

**ELECTRONIC APPLICATION FOR SEARCH AND SEIZURE WARRANT**

I, F.B.I. Special Agent Louis-Philippe Noel, a federal law enforcement officer for the government, request an electronic search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (*identify the person or describe the property to be searched and give its location*):

**See Attachment A, hereby incorporated by reference.**located in the District of Arizona, there is now concealed (*identify the person or describe the property to be seized*):**See Attachment B, hereby incorporated by reference.**The basis for the search under Fed. R. Crim. P. 41(c) is (*check one or more*):

- ☒ evidence of a crime;  
☒ contraband, fruits of crime, or other items illegally possessed;  
☒ property designed for use, intended for use, or used in committing a crime;  
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section  
 18 U.S.C. §§ 1153  
 and 1111

Offense Description  
 Murder

The application is based upon the following facts:

- ☒ Continued on the attached sheet (see attached **Affidavit**).  
☐ Delayed notice \_\_\_\_\_ days (give exact ending date if more than 30 \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Reviewed by AUSA Ryan Powell Ryan Powell

Pursuant to 28 U.S.C. § 1746(2), I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 9/15/2022

Louis-Philippe Noel

Louis-Philippe Noel  
Applicant's Signature

Louis-Philippe Noel, F.B.I. Special Agent

Printed Name and Title

**Sworn by Telephone**

Date/Time: \_\_\_\_\_

Date: \_\_\_\_\_

Camille D.  
BiblesDigitally signed by Camille D. Bibles  
Date: 2022.09.15 21:35:13  
-07'00'\_\_\_\_\_  
Judge's SignatureCity and State: Flagstaff, AZCamille D. Bibles,  
United States Magistrate Judge\_\_\_\_\_  
Printed Name and Title

**ATTACHMENT A**

*Property to be searched*

2001 Ford Excursion with the license plate CPE5036 and VIN 1FMNU43SX1EB00895.

The vehicle is currently in the custody of the Navajo Nation Department of Criminal Investigations – Tuba City District.



**ATTACHMENT B**

*Items to be searched and seized*

1. Any evidence of assault, including but not limited to blood, dried blood, substances that appear to be blood, and other biological evidence which may be found on surfaces in the interior or exterior of the vehicle.

2. Any weapon or items that could be used as a weapon or pieces/parts of a weapon related to the murder investigation.

3. Electronic communication devices, including but not limited to cellular telephones, tablets, and associated removeable media, believed to have belonged to or to have been use by the vehicle's occupants.

4. Indicia of occupancy and/or ownership of the vehicle, including but not limited to mail showing a person's address, receipts, vehicle title, registration, and identification cards.

5. Photographs and/or video of the vehicle and the things seized.

6. Any object or containers including but not limited to water bottles, jugs, beer cans, cigarette butts, clothing, or any object or consumable item which may contain, DNA.



**AFFIDAVIT IN SUPPORT OF SEARCH WARRANT**

I, Louis-Philippe Noel (Affiant), a Special Agent of the Federal Bureau of Investigation (FBI), being first duly sworn, hereby depose and state as follows:

**INTRODUCTION AND AGENT BACKGROUND**

1. Your Affiant makes this Affidavit in support of an application for a search warrant to examine a vehicle that is currently in the custody of the Navajo Nation Department of Criminal Investigations in Tuba City, Arizona. For the reasons set forth below, there is probable cause to believe that evidence of a crime will be found in the 2001 Ford Excursion with license plate CPE5036 and VIN 1FMNU43SX1EB00895, as described in ATTACHMENT A.

2. Your affiant, Louis-Philippe Noel, is a Special Agent (SA) of the FBI and is currently assigned to the Flagstaff, Arizona Resident Agency of the FBI. I have been employed with the FBI since July 2017. I have been assigned to investigate violent crime on Indian Reservations in Northern Arizona. I have received training from the FBI regarding the investigation of violent crime and crime involving the use of weapons and vehicles.

3. The statements contained in this Affidavit are based information derived from your Affiant's personal knowledge, training, and experience; and information obtained from the knowledge and observations of other sworn law enforcement officers, either directly or indirectly through their reports.

4. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that a violation of 18 U.S.C. §§ 1153 and 1111, homicide, have been committed by RODRICK WADE HIGHCLK ("R. HIGHCLK) who dropped off the victim B.M. in an unconscious state at his residence on September 15,



2022, at approximately 3:00 a.m. There is probable cause to search for evidence contained in the vehicle R. HIGHELK was driving that evening, further described in Attachment A.

5. Because this Affidavit is being submitted for the limited purpose of establishing probable cause for the requested warrant, your Affiant has not set forth all of the relevant facts known to law enforcement officers.

### **INVESTIGATION**

6. On September 15, 2022, T.M., the brother of the victim B.M., heard his doorbell ring at approximately 3:00 a.m. T.M.'s residence is in Tuba City, Arizona, on the Navajo Nation Indian Reservation. T.M. opened the door and observed R. HIGHELK at the door. R. HIGHELK asked T.M. for assistance with bringing B.M. into his residence. T.M. observed B.M. laying on the ground by the passenger door of the Ford Excursion R. HIGH ELK was driving. B.M. did not respond to being moved or handled. The body was limp when R. HIGHELK moved his head and T.M. grabbed his feet. They both carried B.M. to his bed. R. HIGHELK told T.M. that he had to leave, and he left. T.M. was concerned that B.M. was unwell and checked on him fifteen minutes after placing him on the bed. T.M. put new clothing on B.M. to make him more comfortable since T.M. realized that B.M. had urinated in his shorts. T.M. placed B.M. on his back and observed bruises on B.M.'s face. T.M. was not sure if B.M. was breathing and did not observe B.M.'s abdomen moving. In the morning, T.M. told his father, R.M., that they should take B.M. to the hospital because he did not look right.

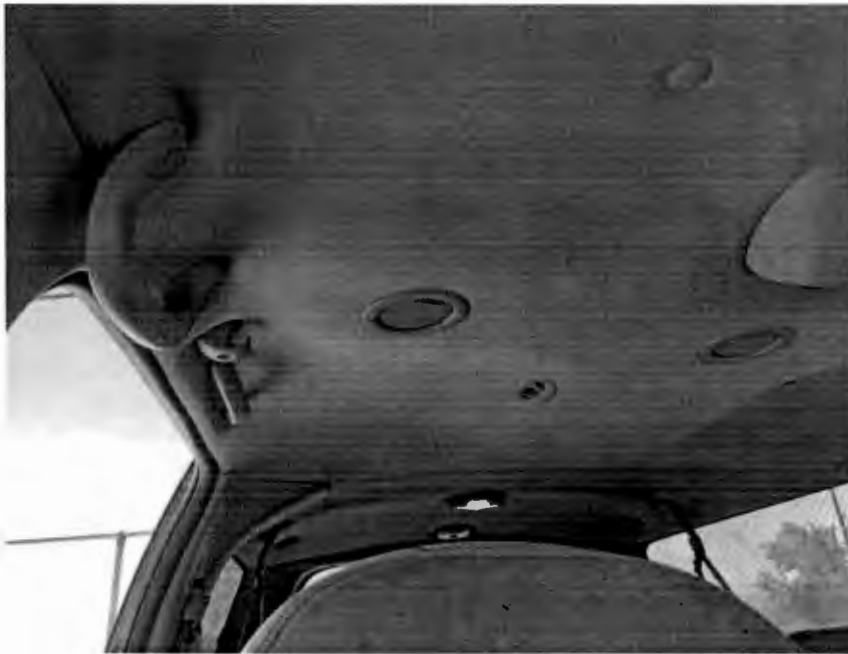
7. T.M. and R.M. called the police. Navajo Nation Criminal Investigator (CI) Albert Nez responded to the residence. He pronounced B.M. dead at approximately 10:50 a.m.

8. The Tuba City Police Department received a report that a Ford Excursion had been abandoned on the Navajo Nation adjacent to "Elephant Feet," which is located

on US HWY 160. Tuba City had been receiving reports of a lone male attempting to stop vehicles to get a ride in that general vicinity that morning.

9. The following photographs were taken during an inventory search by the Navajo Nation Police Department and Criminal Investigations. Navajo CI Albert Nez believed the red markings to be evidence of blood.







10. CI Nez conducted a canvass of the neighborhood, which led to the interview of L.C. She stated that during the evening hours of September 14, 2022, she observed a Ford Excursion between the hours of 7:00 and 8:00 p.m. She had never seen that vehicle

before and observed a male with long hair and glasses in the driver's seat that she had never seen before either. She observed the vehicle on the main road adjacent to the residence of R.M. On the morning of September 15, 2022, L.C. observed the same vehicle at approximately 7:15 a.m., stuck in the mud by US HWY 160 adjacent to the "Elephant Feet."

11. CIs Nez and Butler received information that R. HIGHELK was at the Tonalea General Store, attempting to contact his mother, D.R. Upon arrival, CI Butler detained R. HIGHELK and conducted a safety search of his person. CI Butler retrieved his phone and observed what appeared to be blood stains on the top portion of the phone, as well as blood stains on R. HIGHELK's shirt.

12. CIs Nez and Butler read R. HIGHELK his *Miranda* rights, at which point R. HIGHELK invoked.

13. R. HIGHELK's NCIC report identifies his race as American Indian.

14. R. HIGHLEK's mother, D.R., spoke with a Tuba City Police Officer and relayed that she was the registered owner of the 2001 Ford Excursion. Database checks have confirmed that D.R. is the registered owner.

15. D.R. stated her son had been driving her vehicle. Her son had contacted her via his phone to tell her that he had dropped off a friend at his friend's house and ended up getting stuck in the mud adjacent to "Elephant's Feet." Her son walked several miles from "Elephant's Feet" to the Tonalea General Store. Her son told her that his phone's battery would soon lose its charge.

16. D.R. stated she was unwilling to provide the Affiant consent to search her vehicle. D.R. wanted to ensure the Magistrate Judge was aware that she did not want her vehicle searched.

17. Based on your Affiant's training, education, and experience, violent crimes often result in trace evidence being left behind at the crime scene, on clothing, and in vehicles. Thus, your affiant is seeking a warrant to search the 2001 Ford Excursion described in Attachment A for evidence related to murder, including DNA evidence, blood evidence, clothing, and any weapon related to this murder, as further described in Attachment B.

18. Pursuant to 28 U.S.C. § 1746(2), I declare that the foregoing is true and correct to the best of my knowledge and belief.

Louis-Philippe Noel



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Special Agent Louis-Philippe Noel  
Federal Bureau of Investigation

Subscribed and sworn to before me this 15th day of September, 2022. by telephone.

**Camille D.**

Digitally signed by Camille D.  
Bibles

**Bibles**

Date: 2022.09.15 21:36:06  
-07'00'

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HONORABLE CAMILLE D. BIBLES  
United States Magistrate Judge